

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GEOTAG, INC., *et al.*,

Plaintiff,

v.

ZOOSK, INC.,

Defendant.

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No. 2:11-cv-00403-MHS

JURY TRIAL DEMANDED

DECLARATION OF ERIC W. BUETHER

I, Eric W. Buether, declare as follows:

1. I am a member of the law firm of Buether Joe & Carpenter, LLP (“BJC”) and one of the attorneys representing GeoTag, Inc., in this and other matters. I have personal knowledge of the facts set forth in this Declaration. I am competent to testify as to all matters stated, and I am not under any legal disability that would in any way preclude me from testifying.

2. Attached as Exhibit A are pages copied from Zoosk, Inc.’s current website, and one page reflecting an excerpt of a result from a Google search using the search term “Zoosk.”

3. Attached as Exhibit B are pages from a motion to transfer filed by AT&T Services, Inc. and AT&T Mobility, LLC and a declaration filed by these AT&T entities asserting that there are two third-party prior art witnesses located in the Dallas, Texas area.

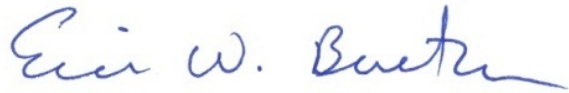
4. Plaintiff GeoTag expects to call at least the following persons to testify at the trial of its claims against Zoosk: John Veenstra; Elizabeth Morgan; and Lawrence Howorth. All of these persons reside in the Eastern District of Texas.

5. Attached as Exhibit C are pages from the Fiscal Year 2012 Per Diem Rates published by the General Services Administration for the San Francisco area and for Greenville, Texas located in the Eastern District of Texas.

6. Attached as Exhibit D are pages from the publication Federal Court Management Statistics September 2011 reflecting the median time from filing to disposition and filing to trial for the Northern District of California and the Eastern District of Texas.

7. Attached as Exhibit E is a copy of Zoosk's responses to GeoTag's venue-related interrogatories in this case.

I declare under penalty of perjury that the foregoing is true and correct and that I have signed this declaration in Dallas, Texas on July 23, 2012.



Eric W. Buether